ORIGINAL

STANTON, J.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/10/08

VIACOM INTERNATIONAL INC., COMEDY PARTNERS, COUNTRY MUSIC TELEVISION, INC., PARAMOUNT PICTURES CORPORATION, and BLACK ENTERTAINMENT TELEVISION LLC, Plaintiffs,	Civil Action No. 07-CV-2103 Judge Stanton
v.	**STIPULATION AND ORDER**
YOUTUBE, INC., YOUTUBE, LLC, and GOOGLE INC., Defendants.	

IT IS HEREBY STIPULATED AND AGREED, by and between Viacom International, Inc., Comedy Partners, Country Music Television, Inc., Paramount Pictures Corporation and Black Entertainment Television LLC (collectively, "Plaintiffs"); and YouTube, Inc., YouTube, LLC and Google Inc (collectively, "Defendants") that:

1. All Mayer Brown attorneys and other personnel who performed services in connection with Mayer Brown's prior engagement by Plaintiffs and their affiliates (collectively, "Viacom") relating to document retention ("Screened Attorneys and Personnel") shall be screened from offensive document discovery directed at Viacom in the action titled *Viacom Int'l, Inc. et al., v. YouTube, Inc., et al.* ("Viacom Action"). Screened Attorneys and Personnel shall not (i) consult with any member of Defendants' litigation team on issues relating to the location, preservation or retention of documents at Viacom; (ii) participate in the drafting of document requests directed at Viacom; (iii) participate in the drafting of interrogatories or requests for admission relating to the location, preservation or retention of documents at Viacom; (iv) negotiate issues relating to the location, preservation or retention of Viacom documents; or (v) participate in the drafting of motions relating to the location, preservation or retention of Viacom documents. Screened Attorneys and Personnel are not precluded from participating in the deposition of any Viacom witness that the parties in good faith agree does not implicate the foregoing enumerated issues.

2. This screen shall have no effect on Screened Attorneys and Personnel's ability to participate in, inter alia, (i) all aspects of the action titled *The Football Association Premier League Limited, et al. v. YouTube, Inc., et al.* ("Premier Action"), and (ii) all aspects of the Viacom Action except those specifically carved out in

16443

paragraph 1. With respect to (ii) by way of example only, Screened Attorneys and Personnel shall be permitted to participate in "meet and confer" discussions between and among the parties in the Viacom Action and Premier Action unless the topic relates to the location, preservation or retention of documents at Viacom; all expert discovery; all substantive discussions about the Viacom Action; and all offensive discovery directed at other plaintiffs in the Viacom Action.

3. This screen shall continue in place only until the conclusion of fact discovery.

Date: April 9, 2008

Respectfully submitted,

Donald B. Verrilli, Jr. (DV-2252)
William M. Hohengarten (WH-5233)
JENNER & BLOCK LLP
601 Thirteenth Street, N.W.
Suite 1200 South
Washington, DC 20005-3823
Telephone: (202) 639-6000
Facsimile: (202) 639-6066
Email: Dverrilli@jenner.com

Susan J. Kohlmann (SK-1855)
JENNER & BLOCK LLP
919 Third Avenue, 37th Floor
New York, NY 10022-3908
Telephone: (212) 891-1600
Facsimile: (212) 891-1699
Email: skohlmann@jenner.com

Stuart J. Baskin (SB-9936)
John Gueli (JG-8427)
Kirsten Nelson Cunha (KN-0283)
SHERMAN & STERLING LLP
599 Lexington Avenue
New York, NY 10022
Telephone: (212) 848-4000
Facsimile: (212) 848-7179
Email: sbaskin@shearman.com

Attorneys for Viacom International Inc., Comedy Partners, Country Music Television, Inc., Paramount Pictures

Corporation, and Black Entertainment Television, LLC

Date: April 9, 2008

Respectfully submitted,

Richard Ben-Veniste
Andrew H. Schapiro
A. John P. Mancini
Gregory A. Frantz
Brian M. Willen
MAYER BROWN LLP
1675 Broadway
New York, NY 10019
Telephone: (212) 506-2500

David H. Kramer
WILSON SONSINI GOODRICH & ROSATI PC
650 Page Mill Road
Palo Alto, CA 94304
Telephone: (650) 493-9300

Attorneys for Defendants YouTube, Inc., YouTube, LLC and Google Inc.

SO ORDERED:

Louis L. Stanton

Hon. Louis L. Stanton
United States District Judge

4/9/08

16443